

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHRISTOPHER UNDERWOOD et al.,	:
Individually and on Behalf of All Others Similarly	:
Situated,	:
	:
<i>Plaintiffs,</i>	:
	:
v.	:
	:
COINBASE GLOBAL, INC.,	:
	:
<i>Defendant.</i>	:
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**DECLARATION OF SUELLEN BLACK IN SUPPORT  
OF DEFENDANT’S SUPPLEMENTAL SUBMISSION OPPOSING PLAINTIFFS’  
MOTION FOR A TEMPORARY RESTRAINING ORDER AND PRELIMINARY  
INJUNCTION**

I, Suellen Black, pursuant to 28 U.S.C. § 1746 and upon penalty of perjury, declare as follows:

1. I am employed as a Team Lead on the Customer Disputes team at non-party Coinbase, Inc. (“Coinbase”). I have been employed by Coinbase since June 2018. In my capacity as a Team Lead, I am familiar with, work with, and have access to many of Coinbase’s business records, including the User Agreements and records for and relating to customer accounts. I can access a repository that contains prior versions of Coinbase’s User Agreement. I submit this Declaration in support of Defendants’ court ordered supplement opposing Plaintiffs’

motion for a temporary restraining order. This Declaration is based upon my personal knowledge.

**I. Intervening Versions of the Coinbase User Agreements**

2. Coinbase's User Agreement is updated periodically. The User Agreement repository reflects approximately 30 updates to the User Agreement between August 2017 and December 2020. Copies of these agreements are attached as Exhibits 1 to 31 hereto, as set forth in Schedule 1. These copies reflect highlighting to identify the definition of "Coinbase Services."

**II. Email Notifying Users of January 2019 Update to Coinbase's User Agreement**

3. On or around December 27, 2018, Coinbase sent an email notifying users, including Plaintiffs Underwood and Oberlander, to an updated User Agreement that would become effective on January 31, 2019. A copy of that December 27, 2018 email is attached hereto as Exhibit 32.

**III. The Creation of Plaintiff Rodriguez' Account**

4. Based on review of his account, Plaintiff Henry Rodriguez created his Coinbase account on March 16, 2020.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Signed this 3rd day of February, 2022.



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Suellen Black